

Iowa Bar Association

Corrections Study Group

***Study Proposal from
Community Based Corrections Directors***

***To Ease the Impact on the Courts and Prison
Overcrowding***

Submitted February 18, 2002

**Iowa Bar Association
Corrections Study Group**

**Study Proposal from
Community Based Corrections Directors
To Ease the Impact on the Courts and Prison Overcrowding**

Submitted February 18, 2002

The Community Based Corrections Directors offer the following proposals to ease the impact on an overburdened court system and also reduce overcrowding in the state's prison system. Most of the proposals have a good systemic benefit, although some have the effect of placing more work upon the community based corrections system but provide relief for the courts, prison system, and the parole board.

Reducing residential waiting lists. The Directors feel strongly that the residential waiting lists can be managed by using new movement authority granted by the parole board and by also expanding transitional release programs, extended furlough programs, and expanded use of field supervision. The directors agreed that new CBC residential facility construction should be limited to replace older facilities.

Instead of spending money on the most costly resources the directors believe the money would be better spend for staff to provide intensive supervision and treatment of offenders in the community.

Expanding the ALJ Revocation Project. This project has been piloted by the parole board in the Sixth District of Iowa over the past few years. This project will sunset this year. The Chief Judge of the Sixth Judicial District has requested that the pilot continue for two more years because the court could not handle the additional workload to hear revocations again. The CBC Directors recommend that this project be expanded statewide.

Grant the CBC Directors authority to discharge probationers. Currently the Directors have limited scope authority to discharge probationers. However the parole board passed the authority to grant parole discharges to the directors many years ago and it worked well and freed time for the parole board. This would free judges' time from reviewing additional paperwork, etc.

Enact specific legislation for the courts to sentence to the Intermediate Sanctions Continuum. Currently the Continuum of Sanctions is developed and agreed upon by the Chief Judge and the District Director. This is already occurring the Second and Sixth Districts of Iowa. The offender is sentenced to the continuum of sanctions (including the

most restrictive sanction) and policy is developed for appropriate movement up or down the continuum.

If all of the above recommendations above were enacted it is conceivable that once sentenced probationers would generally not have to return to court. This would be a tremendous fiscal savings and a time advantage by freeing the court dockets for other matters.

Ask the Parole Board to Release Inmates to the CBC Continuum of Sanctions. The inmate would be released to the continuum of sanctions with the understanding that the parole board authorizes the use of the most restrictive sanction. Once again policy would be developed and movement of the offender up or down the continuum would occur within the community-based system. This would speed movement and free time for the parole board to deal with other matters.

Direct Community Punishment Option. This is a new administrative program coordinated by DOC & the CBC system that serves as an administrative split-sentencing option and provides intensive CBC assessment, diagnosis, and treatment in a prison setting for non-violent C and D felons and a speedy release back to the community upon reaching maximum benefits. This program can be implemented without enabling legislation or court permission. See attached handout for program description.

This option would help clear the court docket and provide better cost effectiveness in the court system. It would reduce prison overcrowding and expense. It would expedite community treatment and placement and it would relieve the workload of the parole board.

Strength of the CBC system under local control. The directors feel strongly that one the primary strengths of the CBC system is the local community input into advisory activities for planning purposes and treatment of offenders. This often is transformed into funding and matching support for local programs.

The directors also believe that expanding the catchments area of the CBC districts would be a mistake as the immense size of the geographical area contemplated would not be practical for good local interaction.

However the directors do feel that there could increased communications with the ability for transporting exceptional programs from district to another if there were better linkage of the CBC system. One way to do so is to link the local boards of directors into a statewide CBC advisory board. This could be comprised of representatives of the eight district boards, perhaps from the executive committees of each district.

The CBC Directors are pleased to offer these **solutions to safer communities**. We are certain that if these proposals are taken seriously we can impact favorably upon the Courts, the Department of Corrections, and the Parole Board, saving time and resources.

